IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 1470/2006

JAMSHED Vs. STATE OF RAJASTHAN

DATE: 08.03.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. S.S. Hasan for the petitioner.
Mr. Ashwini Kumar Sharma, PP for the State.

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The present criminal revision petition under Section 38 of the Juvenile Justice Act, 1986 is directed against the order dated 02.12.2006 passed by the Additional Sessions Judge (Fast Track) No.1, Alwar in Criminal Appeal No. 01/2006 (190/2006), by which he dismissed the appeal filed by the petitioner against the order dated 28.11.2006 passed by the Principal Magistrate, Juvenie Court, Alwar in FIR No. 288/2006, registered at P.S. Laxmangarh for offence under Section 304-B and 498-A IPC, whereby the bail application moved by the petitioner has been dismissed.

Learned counsel for the petitioner submits that the main accused has already been enlarged on bail under Section 439 Cr.P.C. by the Co-ordinate Bench of

this Court and the petitioner, being a juvenile, has preferred this revision petition and prayed that the petitioner be released on bail.

I have heard rival submissions of the respective parties and have also gone through the impugned order dated 28.11.2006 passed by the Juvenile Court, Alwar and the order dated 02.12.2006 passed by the Additional Sessions Judge (Fast Track) No.1, Alwar.

Since the main accused has already been enlarged on bail, therefore, I deem it proper to release the petitioner on bail.

Consequently, the revision petition filed by the petitioner is allowed. The order dated 02.12.2006 passed by the Additional Sessions Judge (Fast Track) No.1, Alwar and the order dated 28.11.2006 passed by the Principal Magistrate, Juvenile Court, Alwar are hereby set-aside and it is directed that the petitioner Jamshed S/o Isab shall be released on bail on furnishing a personal bond by his natural guardian in the sum of Rs. 20,000/- and a surety in the like amount to the satisfaction of the Juvenile Justice Court, Alwar with a stipulation that he will produce the petitioner on all dates of hearing in the said Court/Board or before any other Court during the

pendency of the inquiry/trial of the case and the guardian shall keep the petitioner under strict vigil and prevent him from exposing to moral danger and from the company of the criminals.

(K.S. RATHORE),J.

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